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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ORIGINAL

In the Matter of

Implementation of Section 309(j)
of the Communications Act
Competitive Bidding

PP Docket 93-253

COMMENTS

Securicor PMR Systems Ltd. ("Securicor PMR"), by its counsel, hereby submits its Comments on the Notice of Proposed Rule Making ("NPRM") in the above-captioned proceeding. By the NPRM, the Commission proposes to adopt Rules implementing the statutory authority conferred upon it by Title VI of the Omnibus Budget Reconciliation Act of 1993 (the "Budget Act") to award Title III radio licenses through the use of competitive bidding.¹

Securicor PMR provides and operates trunked private mobile radio systems throughout the U.K. Securicor PMR for many years has fulfilled the internal land mobile communications needs of its parent company's, Securicor Group, large parcel delivery, cash-in-transit, security service and other fleets. In this capacity, Securicor PMR has been an active proponent of the development of emerging spectrally-efficient very narrowband ("VNBR") land mobile technologies and a frequent participant in matters before the Radiocommunications Agency ("RA") of the

¹Pub. L. No. 103-66, Title VI, Section 6002(b), 107 Stat. 312, 392 (1993); Implementation of Section 309(j) of the Communications Act, FCC 93-455 (October 12, 1993).

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U.K.'s Department of Trade and Industry looking toward the establishment of standards and rules to govern the migration of U.K. PMR systems from their existing 12.5 kHz channelization to VNBR 5 kHz channelization. Securicor PMR also has participated in the FCC's on-going PR Docket 92-235 concerning the "refarming" of the Private Land Mobile Radio bands below 512 MHz.²

Securicor PMR's affiliated company Linear Mobile Technology Ltd. has developed the Linear Modulation, or "LM," 5 kHz PMR system that was described by Peter Hilton, Managing Director of Securicor PMR, during the FCC's May 6, 1993 roundtable discussion on the refarming initiative. The Securicor LM system uses the very latest techniques to give superior voice quality together with, currently, 9.6kb/s high speed data in a 5 kHz channel. The LM system meets the MPT 1376 U.K. specification for 5 kHz channelization. Securicor PMR has embarked upon a program to ensure the manufacturing and distribution of LM technology throughout the U.S. and has entered into agreements and/or reached understandings with E.F. Johnson Co. and CYCOMM Corp. for these purposes.

In its NPRM (at para. 132), the FCC concludes that it is "too early" to determine whether 220 MHz Local licenses will be principally used either for internal, non-commercial purposes or for the provision of commercial services. The Commission requests comment on whether it is "reasonably likely" that 220

²See Comments of Securicor PMR (May 28, 1993); Reply Comments of Securicor PMR (July 30, 1993); Supplement to Comments of Securicor PMR (September 8, 1993), PR Docket 92-235.

MHz Local licenses will involve the licensee receiving compensation from subscribers in return for which the licensee enables those subscribers to either transmit directly or receive communications signals utilizing frequencies on which the licensee is licensed to operate.

The Securicor LM system initially was developed by Securicor to serve its own internal fleet communications needs in the U.K. At this point, only a very few U.S. 220 MHz local licensees have constructed their systems. The FCC, indeed, has extended the construction deadline for all 220 Local licensees until 120 days from the date of final disposition of the pending appeal styled Evans v. Federal Communications Commission, No. 92-1317 (D.C. Cir.) which challenges the adequacy of notice given prospective applicants for the 220 MHz local licenses. See Lottery Notice, Mimeo 24813 (September 16, 1992). Since there is no operational 220 MHz data available to indicate the likely principal use of the local systems, or an adequate sampling of licensees who have actually constructed their systems, there is no basis now to conclude that it is "reasonably likely" that the principal use of the 220 MHz local licenses will be to provide service to subscribers for compensation.

Accordingly, given the present uncertainties over how the 220 MHz marketplace will develop in the U.S., Securicor PMR urges the Commission to find that it has no basis to determine pursuant to Section 309(j)(2)(A) of the Communications Act that the principal use of the 220 MHz Local licenses is reasonably likely to involve the provision of service to subscribers for compensation.

Respectfully submitted,

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